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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/823,081         | 04/13/2004             | Timothy Elwell        | 105381-0002            |

021125  
 NUTTER MCCLENNEN & FISH LLP  
 WORLD TRADE CENTER WEST  
 155 SEAPORT BOULEVARD  
 BOSTON, MA 02210-2604

CONFIRMATION NO. 3160

## FORMALITIES LETTER



\*OC000000013063320\*

Date Mailed: 06/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$117 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$567 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

07/30/2004 FFANAI2 00000019 10823081

|            |           |
|------------|-----------|
| 01 FC:2001 | 385.00 OP |
| 02 FC:2051 | 65.00 OP  |
| 03 FC:2202 | 117.00 OP |

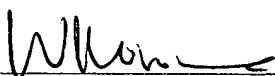
- Total additional claim fee(s) for this application is \$117

- \$117 for 13 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 27, 2004

Signature: 

(William C. Geary III)

Docket No.: 105381-0002  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Timothy Elwell

Application No.: 10/823,081

Filed: April 13, 2004

For: PROTECTIVE DUST JACKET COVER AND  
METHOD OF USE

Confirmation No.: 3160

Art Unit: 3722

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed June 24, 2004, Part 2 – copy enclosed, Applicant respectfully submits a Combined Declaration and Power of Attorney, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), and Part 2 Copy of Notice.

Our check in the amount of \$567.00 covering the fee set forth in 37 CFR 1.16(e) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 105381-0002. A duplicate copy of this paper is enclosed.

Dated: July 27, 2004

Respectfully submitted,

By 

William C. Geary III

Registration No.: 31,359

NUTTER MCCLENNEN & FISH LLP

World Trade Center West

155 Seaport Boulevard

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(617) 310-9766 (Fax)

Attorney for Applicant



PTO/SB/17 (10-03)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
567.00**Complete if Known**

|                      |                        |
|----------------------|------------------------|
| Application Number   | 10/823,081-Conf. #3160 |
| Filing Date          | April 13, 2004         |
| First Named Inventor | Timothy Elwell         |
| Examiner Name        | Not Yet Assigned       |
| Art Unit             | 3722                   |
| Attorney Docket No.  | 105381-0002            |

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number

141449

Deposit Account Name

Nutter McClennen &amp; Fish LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid       |
|--------------|----------|--------------|----------|------------------------|----------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |                |
| 1001         | 770      | 2001         | 385      | Utility filing fee     | 385.00         |
| 1002         | 340      | 2002         | 170      | Design filing fee      |                |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |                |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |                |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |                |
| SUBTOTAL (1) |          |              |          |                        | (\$)<br>385.00 |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    |    |         |    |   |      |   |        |
|--------------------|----|---------|----|---|------|---|--------|
| Total Claims       | 33 | -20** = | 13 | x | 9.00 | = | 117.00 |
| Independent Claims | 3  | -3** =  |    | x |      | = | 0.00   |
| Multiple Dependent |    |         |    | x |      | = |        |

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid       |
|--------------|----------|--------------|----------|--|----------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |                |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |                |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |                |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |                |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |                |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |                |
| SUBTOTAL (2) |          |              |          |  | (\$)<br>117.00 |

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  | 65.00    |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401         | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402         | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403         | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501         | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502         | 480      | 2502         | 240      | Design issue fee   |          |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)  
65.00**SUBMITTED BY**

(Complete (if applicable))

|                   |                      |                                   |               |           |                |
|-------------------|----------------------|-----------------------------------|---------------|-----------|----------------|
| Name (Print/Type) | William C. Geary III | Registration No. (Attorney/Agent) | 31,359        | Telephone | (617) 439-2766 |
| Signature         |                      | Date                              | July 27, 2004 |           |                |

**Fee Transmittal**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 27, 2004

Signature: (William C. Geary III)